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## Chapter 17

### International Conflict Resolution and Avoidance

#### A. MIDDLE EAST PEACE PROCESS

On February 18, 2011, Ambassador Susan E. Rice, U.S. Permanent Representative to the United Nations, provided the following explanation of the United States' opposition to a draft Security Council resolution on the situation in the Middle East, including the question of Palestine. Ambassador Rice's statement is available at <http://usun.state.gov/briefing/statements/2011/156816.htm>.

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The United States has been deeply committed to pursuing a comprehensive and lasting peace between Israel and the Palestinians. In that context, we have been focused on taking steps that advance the goal of two states living side by side in peace and security, rather than complicating it. That includes a commitment to work in good faith with all parties to underscore our opposition to continued settlements.

Our opposition to the resolution before this Council today should therefore not be misunderstood to mean we support settlement activity. On the contrary, we reject in the strongest terms the legitimacy of continued Israeli settlement activity. For more than four decades, Israeli settlement activity in territories occupied in 1967 has undermined Israel's security and corroded hopes for peace and stability in the region. Continued settlement activity violates Israel's international commitments, devastates trust between the parties, and threatens the prospects for peace.

The United States and our fellow Council members are also in full agreement about the urgent need to resolve the conflict between Israel and the Palestinians, based on the two-state solution and an agreement that establishes a viable, independent, and contiguous state of Palestine, once and for all. We have invested a tremendous amount of effort and resources in pursuit of this shared goal, and we will continue to do so.

But the only way to reach that common goal is through direct negotiations between the parties, with the active and sustained support of the United States and the international community.

It is the Israelis' and Palestinians' conflict, and even the best-intentioned outsiders cannot resolve it for them. Therefore every potential action must be measured against one overriding standard: will it move the parties closer to negotiations and an agreement? Unfortunately, this draft resolution risks hardening the positions of both sides. It could encourage the parties to stay out of negotiations and, if and when they did resume, to return to the Security Council whenever they reach an impasse.

Madame President, in recent years, no outside country has invested more than the United States of America in the effort to achieve Israeli-Palestinian peace.

In recent days, we offered a constructive alternative course forward that we believe would have allowed the Council to act unanimously to support the pursuit of peace. We regret that this effort was not successful and thus is no longer viable.

The great impetus for democracy and reform in the region makes it even more urgent to settle this bitter and tragic conflict in the context of a region moving towards greater peace and respect for human rights. But there simply are no shortcuts.

We hope that those who share our hopes for peace between a secure and sovereign Israel and Palestine will join us in redoubling our common efforts to encourage and support the resumption of direct negotiations.

While we agree with our fellow Council members—and indeed, with the wider world—about the folly and illegitimacy of continued Israeli settlement activity, we think it unwise for this Council to attempt to resolve the core issues that divide Israelis and Palestinians. We therefore regrettably have opposed this draft resolution.

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On May 19, 2011, President Barack Obama delivered remarks at the State Department concerning the changes taking place in the Middle East and North Africa in 2011. Daily Comp. Pres. Docs., 2011 DCPD No. 00368, pp. 1–10. He concluded his remarks by discussing the pursuit of peace between Israelis and Palestinians. That discussion appears below.

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For decades, the conflict between Israelis and Arabs has cast a shadow over the region. For Israelis, it has meant living with the fear that their children could be blown up on a bus or by rockets fired at their homes, as well as the pain of knowing that other children in the region are taught to hate them. For Palestinians, it has meant suffering the humiliation of occupation and never living in a nation of their own. Moreover, this conflict has come with a larger cost to the Middle East, as it impedes partnerships that could bring greater security and prosperity and empowerment to ordinary people.

For over 2 years, my administration has worked with the parties and the international community to end this conflict, building on decades of work by previous administrations. Yet expectations have gone unmet. Israeli settlement activity continues. Palestinians have walked away from talks. The world looks at a conflict that has grinded on and on and on and sees nothing but stalemate. Indeed, there are those who argue that with all the change and uncertainty in the region, it is simply not possible to move forward now.

I disagree. At a time when the people of the Middle East and North Africa are casting off the burdens of the past, the drive for a lasting peace that ends the conflict and resolves all claims is more urgent than ever. That's certainly true for the two parties involved.

For the Palestinians, efforts to delegitimize Israel will end in failure. Symbolic actions to isolate Israel at the United Nations in September won't create an independent state. Palestinian leaders will not achieve peace or prosperity if Hamas insists on a path of terror and rejection. And Palestinians will never realize their independence by denying the right of Israel to exist.

As for Israel, our friendship is rooted deeply in a shared history and shared values. Our

commitment to Israel's security is unshakeable. And we will stand against attempts to single it out for criticism in international forums. But precisely because of our friendship, it's important that we tell the truth: The status quo is unsustainable, and Israel too must act boldly to advance a lasting peace.

The fact is, a growing number of Palestinians live west of the Jordan River. Technology will make it harder for Israel to defend itself. A region undergoing profound change will lead to populism in which millions of people—not just one or two leaders—must believe peace is possible. The international community is tired of an endless process that never produces an outcome. The dream of a Jewish and democratic state cannot be fulfilled with permanent occupation.

Now ultimately, it is up to the Israelis and Palestinians to take action. No peace can be imposed upon them, not by the United States, not by anybody else. But endless delay won't make the problem go away. What America and the international community can do is to state frankly what everyone knows: a lasting peace will involve two states for two peoples—Israel as a Jewish state and the homeland for the Jewish people and the state of Palestine as the homeland for the Palestinian people—each state enjoying self-determination, mutual recognition, and peace.

So while the core issues of the conflict must be negotiated, the basis of those negotiations is clear: a viable Palestine, a secure Israel. The United States believes that negotiations should result in two states, with permanent Palestinian borders with Israel, Jordan, and Egypt, and permanent Israeli borders with Palestine. We believe the borders of Israel and Palestine should be based on the 1967 lines with mutually agreed swaps, so that secure and recognized borders are established for both states. The Palestinian people must have the right to govern themselves, and reach their full potential, in a sovereign and contiguous state.

As for security, every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat. Provisions must also be robust enough to prevent a resurgence of terrorism, to stop the infiltration of weapons, and to provide effective border security. The full and phased withdrawal of Israeli military forces should be coordinated with the assumption of Palestinian security responsibility in a sovereign, nonmilitarized state. And the duration of this transition period must be agreed, and the effectiveness of security arrangements must be demonstrated.

These principles provide a foundation for negotiations. Palestinians should know the territorial outlines of their state; Israelis should know that their basic security concerns will be met. I'm aware that these steps alone will not resolve the conflict, because two wrenching and emotional issues will remain: the future of Jerusalem and the fate of Palestinian refugees. But moving forward now on the basis of territory and security provides a foundation to resolve those two issues in a way that is just and fair and that respects the rights and aspirations of both Israelis and Palestinians.

Now, let me say this: Recognizing that negotiations need to begin with the issues of territory and security does not mean that it will be easy to come back to the table. In particular, the recent announcement of an agreement between Fatah and Hamas raises profound and legitimate questions for Israel: How can one negotiate with a party that has shown itself unwilling to recognize your right to exist? And in the weeks and months to come, Palestinian leaders will have to provide a credible answer to that question. Meanwhile, the United States, our Quartet partners, and the Arab States will need to continue every effort to get beyond the current impasse.

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On May 20, 2011, the day after President Obama delivered the remarks excerpted above, the Middle East Quartet (representatives of the United Nations, the European Union, the Russian Federation, and the United States) issued a statement in support of President Obama's proposal for resuming negotiations on peace in the Middle East. The Quartet's statement appears below, and is available at [www.state.gov/r/pa/prs/ps/2011/05/163941.htm](http://www.state.gov/r/pa/prs/ps/2011/05/163941.htm).

The Members of the Quartet are in full agreement about the urgent need to resolve the conflict between Israel and the Palestinians. To that effect, the Quartet expressed its strong support for the vision of Israeli-Palestinian peace outlined by U.S. President Barack Obama on May 19, 2011. The Quartet agrees that moving forward on the basis of territory and security provides a foundation for Israelis and Palestinians to reach a final resolution of the conflict through serious and substantive negotiations and mutual agreement on all core issues.

The Quartet reiterates its strong appeal to the parties to overcome the current obstacles and resume direct bilateral negotiations without delay or preconditions. The Quartet further recommits itself to its previous statements and principles.

On May 22, President Obama addressed the American Israel Public Affairs Committee ("AIPAC") Policy Conference. Daily Comp. Pres. Docs., 2011 DCPD No. 00377, pp. 1-6. He reiterated many of the points he made about the peace process in his May 19 remarks. Excerpts from President Obama's May 22 address appear below.

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Now, I have said repeatedly that core issues can only be negotiated in direct talks between the parties. And I indicated on Thursday that the recent agreement between Fatah and Hamas poses an enormous obstacle to peace. No country can be expected to negotiate with a terrorist organization sworn to its destruction. And we will continue to demand that Hamas accept the basic responsibilities of peace, including recognizing Israel's right to exist and rejecting violence and adhering to all existing agreements. ...

And yet no matter how hard it may be to start meaningful negotiations under current circumstances, we must acknowledge that a failure to try is not an option. The status quo is unsustainable. And that is why on Thursday, I stated publicly the principles that the United States believes can provide a foundation for negotiations toward an agreement to end the conflict and all claims, the broad outlines of which have been known for many years and have been the template for discussions between the United States, Israel, and the Palestinians since at least the Clinton administration.

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... I firmly believe, and I repeated on Thursday, that peace cannot be imposed on the parties to the conflict. No vote at the United Nations will ever create an independent Palestinian state. And the United States will stand up against efforts to single Israel out at the United Nations or in any international forum. Israel's legitimacy is not a matter for debate. That is my commitment; that is my pledge to all of you.

Moreover, we know that peace demands a partner, which is why I said that Israel cannot be expected to negotiate with Palestinians who do not recognize its right to exist. And we will hold the Palestinians accountable for their actions and for their rhetoric.

But the march to isolate Israel internationally and the impulse of the Palestinians to abandon negotiations will continue to gain momentum in the absence of a credible peace process and alternative. And for us to have leverage with the Palestinians, to have leverage with the Arab States, and with the international community, the basis for negotiations has to hold out the prospect of success. And so in advance of a 5-day trip to Europe in which the Middle East will be a topic of acute interest, I chose to speak about what peace will require.

There was nothing particularly original in my proposal. This basic framework for negotiations has long been the basis for discussions among the parties, including previous U.S. administrations. Since questions have been raised, let me repeat what I actually said on Thursday, not what I was reported to have said.

I said that the United States believes that negotiations should result in two states, with permanent Palestinian borders with Israel, Jordan, and Egypt and permanent Israeli borders with Palestine. The borders of Israel and Palestine should be based on the 1967 lines with mutually agreed swaps so that secure and recognized borders are established for both states. The Palestinian people must have the right to govern themselves and reach their potential in a sovereign and contiguous state.

As for security, every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat. Provisions must also be robust enough to prevent a resurgence of terrorism, to stop the infiltration of weapons, and to provide effective border security. And a full and phased withdrawal of Israeli military forces should be coordinated with the assumption of Palestinian security responsibility in a sovereign and nonmilitarized state. And the duration of this transition period must be agreed, and the effectiveness of security arrangements must be demonstrated.

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...[L]et me reaffirm what "1967 lines with mutually agreed swaps" means.

By definition, it means that the parties themselves—Israelis and Palestinians—will negotiate a border that is different than the one that existed on June 4, 1967. That's what mutually agreed-upon swaps means. It is a well-known formula to all who have worked on this issue for a generation. It allows the parties themselves to account for the changes that have taken place over the last 44 years. It allows the parties themselves to take account of those changes, including the new demographic realities on the ground, and the needs of both sides. The ultimate goal is two states for two people: Israel as a Jewish state and the homeland for the Jewish people and the state of Palestine as the homeland for the Palestinian people, each state enjoying self-determination, mutual recognition, and peace.

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On September 21, 2011, President Obama addressed the United Nations General Assembly on the subject of pursuing peace and discussed the Israeli-Palestinian conflict, among other topics. Daily Comp. Pres. Docs. 2011 DCPD No. 00661, pp. 4-5. President Obama's discussion of the peace process from that September 21 speech follows.

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Now, I know, particularly this week, that for many in this hall, there's one issue that stands as a test for these principles and a test for American foreign policy, and that is the conflict between the Israelis and the Palestinians.

One year ago, I stood at this podium, and I called for an independent Palestine. I believed then and I believe now that the Palestinian people deserve a state of their own. But what I also said is that a genuine peace can only be realized between the Israelis and the Palestinians themselves. One year later, despite extensive efforts by America and others, the parties have not bridged their differences. Faced with this stalemate, I put forward a new basis for negotiations in May of this year. That basis is clear. It's well known to all of us here. Israelis must know that any agreement provides assurances for their security. Palestinians deserve to know the territorial basis of their state.

Now, I know that many are frustrated by the lack of progress. I assure you, so am I. But the question isn't the goal that we seek, the question is how do we reach that goal. And I am convinced that there is no shortcut to the end of a conflict that has endured for decades. Peace is hard work. Peace will not come through statements and resolutions at the United Nations. If it were that easy, it would have been accomplished by now. Ultimately, it is the Israelis and the Palestinians who must live side by side. Ultimately, it is the Israelis and the Palestinians, not us, who must reach agreement on the issues that divide them: on borders and on security, on refugees and Jerusalem.

Ultimately, peace depends upon compromise among people who must live together long after our speeches are over, long after our votes have been tallied. That's the lesson of Northern Ireland, where ancient antagonists bridged their differences. That's the lesson of Sudan, where a negotiated settlement led to an independent state. And that is and will be the path to a Palestinian state: negotiations between the parties.

We seek a future where Palestinians live in a sovereign state of their own, with no limit to what they can achieve. There's no question that the Palestinians have seen that vision delayed for too long. It is precisely because we believe so strongly in the aspirations of the Palestinian people that America has invested so much time and so much effort in the building of a Palestinian state and the negotiations that can deliver a Palestinian state.

But understand this as well: America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring. And so we believe that any lasting peace must acknowledge the very real security concerns that Israel faces every single day.

Let us be honest with ourselves: Israel is surrounded by neighbors that have waged repeated wars against it. Israel's citizens have been killed by rockets fired at their houses and suicide bombs on their buses. Israel's children come of age knowing that throughout the region, other children are taught to hate them. Israel, a small country of less than 8 million people, look

out at a world where leaders of much larger nations threaten to wipe it off of the map. The Jewish people carry the burden of centuries of exile and persecution and fresh memories of knowing that 6 million people were killed simply because of who they are. Those are facts. They cannot be denied.

The Jewish people have forged a successful state in their historic homeland. Israel deserves recognition. It deserves normal relations with its neighbors. And friends of the Palestinians do them no favors by ignoring this truth, just as friends of Israel must recognize the need to pursue a two-state solution with a secure Israel next to an independent Palestine.

That is the truth. Each side has legitimate aspirations, and that's part of what makes peace so hard. And the deadlock will only be broken when each side learns to stand in the other's shoes, each side can see the world through the other's eyes. That's what we should be encouraging. That's what we should be promoting.

This body—founded, as it was, out of the ashes of war and genocide, dedicated, as it is, to the dignity of every single person—must recognize the reality that is lived by both the Palestinians and the Israelis. The measure of our actions must always be whether they advance the right of Israeli and Palestinian children to live lives of peace and security and dignity and opportunity. And we will only succeed in that effort if we can encourage the parties to sit down, to listen to each other, and to understand each other's hopes and each other's fears. That is the project to which America is committed. There are no shortcuts. And that is what the United Nations should be focused on in the weeks and months to come.

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Representatives of the Quartet met in New York on September 23, 2011, and issued another statement, affirming their support for the resumption of peace talks. The Quartet's September statement follows and is also available at [www.state.gov/r/pa/prs/ps/2011/09/173919.htm](http://www.state.gov/r/pa/prs/ps/2011/09/173919.htm).

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The Quartet takes note of the application submitted by President Abbas on 23rd September 2011 which is now before the Security Council.\*

The Quartet reaffirmed its statement of 20th May 2011, including its strong support for the vision of Israeli-Palestinian peace outlined by United States President Barack Obama.

The Quartet recalled its previous statements, and affirmed its determination to actively and vigorously seek a comprehensive resolution of the Arab-Israeli conflict, on the basis of UN Security Council Resolutions 242, 338, 1397, 1515, 1850, the Madrid principles including land for peace, the Roadmap, and the agreements previously reached between the parties.

The Quartet reiterated its commitment to a just, lasting and comprehensive peace in the Middle East and to seek a comprehensive resolution of the Arab-Israeli conflict, and reaffirms the importance of the Arab Peace Initiative.

The Quartet reiterated its urgent appeal to the parties to overcome the current obstacles and resume direct bilateral Israeli-Palestinian negotiations without delay or preconditions. But it

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\* Editor's note: See discussion in Chapter 7.B.



accepts that meeting, in itself, will not reestablish the trust necessary for such a negotiation to succeed. It therefore proposes the following steps:

1. Within a month there will be a preparatory meeting between the parties to agree an agenda and method of proceeding in the negotiation.
2. At that meeting there will be a commitment by both sides that the objective of any negotiation is to reach an agreement within a timeframe agreed to by the parties but not longer than the end of 2012. The Quartet expects the parties to come forward with comprehensive proposals within three months on territory and security, and to have made substantial progress within six months. To that end, the Quartet will convene an international conference in Moscow, in consultation with the parties, at the appropriate time.
3. There will be a Donors Conference at which the international community will give full and sustained support to the Palestinian Authority state-building actions developed by Prime Minister Fayyad under the leadership of President Abbas.
4. The Quartet recognizes the achievements of the Palestinian Authority in preparing institutions for statehood as evidenced in reports to the Ad Hoc Liaison Committee, and stresses the need to preserve and build on them. In this regard, the members of the Quartet will consult to identify additional steps they can actively support towards Palestinian statehood individually and together, to secure in accordance with existing procedures significantly greater independence and sovereignty for the Palestinian Authority over its affairs.
5. The Quartet calls upon the parties to refrain from provocative actions if negotiations are to be effective. The Quartet reiterated the obligations of both parties under the Roadmap.
6. The Quartet committed to remain actively involved and to encourage and review progress. The Quartet agreed to meet regularly and to task the envoys and the Quartet Representative to intensify their cooperation, including by meeting prior to the parties' preparatory meeting, and to formulate recommendations for Quartet action.

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On October 24, 2011, at a Security Council debate on the Middle East, Ambassador Rice delivered remarks that included a part, reprinted below, on the United States' ongoing efforts to promote peace in the Middle East and its position on recent actions of the Israelis and Palestinians. The full text of Ambassador Rice's remarks is available at [www.state.gov/p/io/rm/2011/176080.htm](http://www.state.gov/p/io/rm/2011/176080.htm).

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The United States continues to work vigorously with the parties, the Quartet, and our international partners to resume negotiations on the basis of the September 23rd Quartet statement. That statement provides a clear and credible path back to the negotiating table, which is the only path to achieve the two-state solution we all seek. The Quartet statement reaffirms President Obama's vision for peace as laid out in his May remarks. President Abbas and Prime Minister Netanyahu have each agreed to send negotiators to Jerusalem for preparatory meetings with the Quartet envoys on October 26th. Thus, our focus remains on laying the groundwork for these and subsequent meetings leading to the two parties exchanging comprehensive proposals

on territory and security by the end of the year, as outlined in the Quartet's timeline. We urge all members of this Council and all member states to unite to help create a positive climate for resuming negotiations.

Ultimately, it is the Israelis and the Palestinians who must live side by side. Only they can reach agreement on the painful issues that divide them: borders and security, refugees, and Jerusalem. We have been very clear that we believe Palestinian efforts to seek member-state status at the United Nations will not advance the peace process but rather will complicate, delay, and perhaps derail prospects for a negotiated settlement. Therefore, we have consistently opposed such unilateral initiatives. We will continue at the same time to exert every effort to bring the parties back to the negotiating table.

Like every American administration for decades, the Obama administration does not accept the legitimacy of continued Israeli settlement activity. The fate of existing settlements is one that must be dealt with by the parties, along with the other permanent-status issues, including the status of Jerusalem. For that reason, steps by the Government of Israel to advance significant new construction in Givat Hamatos are deeply disappointing.

The illegal trafficking of weapons in Gaza continues to pose a serious threat to civilians in Gaza, in Israel, and in Egypt. It must be stopped. With regard to Hamas, we reaffirm the importance of fulfilling the Quartet principles' commitment to nonviolence, recognition of Israel's right to exist, and recognition of previous agreements. We call again on Palestinians and Israelis to take constructive actions to promote peace and to avoid actions that complicate this process or undermine trust.

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In the keynote address at the National Democratic Institute's Awards Dinner on November 7, 2011, Secretary of State Hillary Rodham Clinton reviewed developments in the Middle East and North Africa in 2011. Her remarks, available at [www.state.gov/secretary/rm/2011/11/176750.htm](http://www.state.gov/secretary/rm/2011/11/176750.htm), included the following comments on the need for a negotiated peace between the Palestinians and Israelis:

And there is one last question that I'm asked, in one form or another, all the time: What about the rights and aspirations of the Palestinians? Israelis and Palestinians are not immune to the profound changes sweeping the region. And make no mistake, President Obama and I believe that the Palestinian people—just like their Arab neighbors, just like Israelis, just like us—deserve dignity, liberty, and the right to decide their own future. They deserve an independent, democratic Palestinian state of their own, alongside a secure Jewish democracy next door. And we know from decades in the diplomatic trenches that the only way to get there is through a negotiated peace—a peace we work every day to achieve, despite all the setbacks.

## **B. PEACEKEEPING AND RELATED ISSUES**

### **1. Sudan**

During 2011, the United States continued its bilateral and multilateral initiatives to support full implementation of the Comprehensive Peace Agreement of 2005 (“CPA”) and to end the conflict in Darfur.

In January, the people of South Sudan participated in an orderly and successful referendum on independence. In February, the Government of South Sudan announced the results of the referendum. The results were acknowledged and accepted by the United States and other nations. Secretary Clinton stated:

The United States congratulates the Government of Sudan on the announcement of the Southern Sudan referendum results. We congratulate northern and southern leaders for facilitating a peaceful and orderly vote, and now that the people of Southern Sudan have made this compelling statement, we commend the Government of Sudan for accepting its outcome.

Press Statement, Feb. 7, 2011, available at [www.state.gov/secretary/rm/2011/02/156107.htm](http://www.state.gov/secretary/rm/2011/02/156107.htm).

The United States also joined the other witnesses to the CPA (African Union, Republic of Egypt, European Union, Inter-Governmental Authority on Development, Republic of Kenya, Government of Italy, League of Arab States, Royal Kingdom of the Netherlands, Royal Norwegian Government, Republic of Uganda, United Kingdom and Northern Ireland, United Nations) in the following joint statement on the referendum’s outcome (the statement is available at [www.state.gov/r/pa/prs/ps/2011/02/156183.htm](http://www.state.gov/r/pa/prs/ps/2011/02/156183.htm)).

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We, the countries and organizations that witnessed the signing of the Comprehensive Peace Agreement in 2005, welcome the conclusion of the Southern Sudan referendum and the announcement of the final result by the Southern Sudan Referendum Commission on February 7, 2011. We congratulate the parties to the CPA and the Southern Sudan Referendum Commission on a successful referendum process, and we welcome the acceptance of the result by the Government of Sudan. We have noted the positive statements by international and domestic observers which confirm that the referendum was credible, peaceful, and met international standards. We have also taken note of the statement by the UN Secretary General’s High Level Monitoring Panel on January 16 that the process allowed the people of Southern Sudan to express their will freely. In view of these assessments, we confirm our acceptance of the result of the referendum in favor of the secession of Southern Sudan.

We commend both CPA parties for the leadership they have demonstrated. We call on them to redouble their efforts to reach agreement on the outstanding CPA and post-referendum issues, with the facilitation of the AU High-Level Implementation Panel. The status of Abyei must be resolved in a way that respects the rights and interests of affected populations. Popular consultations in Blue Nile and Southern Kordofan states should also be conducted in a timely and inclusive manner. The demarcation of the common border and the status of disputed areas should be settled. Finally, we urge the parties to continue to work together in the remaining months of the CPA to put in place arrangements on security, citizenship, international treaties,

economics, a soft border and natural resources which provide the basis for two stable, secure, and economically prosperous states living in peace with one another and their neighbors.

We emphasize our commitment to the establishment of long term peace, security and prosperity for all of the peoples of Sudan. As witnesses to the CPA, we recognize the critical importance of continued close cooperation between Northern and Southern Sudan and we underline our willingness to continue to provide international support to this end.

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On March 9, 2011, the White House issued a statement condemning violence in the Abyei region of Sudan and urging the parties to resolve issues relating to Abyei. The White House Statement, reprinted below, is available at [www.whitehouse.gov/the-press-office/2011/03/09/statement-press-secretary-recent-violence-abyei-region-sudan](http://www.whitehouse.gov/the-press-office/2011/03/09/statement-press-secretary-recent-violence-abyei-region-sudan).

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The United States deplores the recent violence in the Abyei region of Sudan and calls on Northern and Southern Sudanese leaders to take immediate steps to prevent future attacks and restore calm. This dangerous standoff is unacceptable for the Sudanese people, and we condemn the deployment of forces by both sides. Their presence in Abyei stands in violation of the 2005 Comprehensive Peace Agreement and runs counter to efforts to reach agreement on the region's final status.

This past September, President Obama spoke of the two paths before the Government of Sudan: a path of peace, a path of fulfilled commitments, and greater engagement; and a path of continued conflict, continued obstruction, and greater, more painful isolation. The successful referendum was but one step toward fulfilling the Government of Sudan's obligations under the Comprehensive Peace Agreement. The Government of South Sudan too must recommit itself to resolving the remaining contentious issues in dispute.

The United States welcomes the commitment made by the National Congress Party and Sudan People's Liberation Movement to establish a committee based in Abyei to review security arrangements relating to the annual migration. We urge this committee to immediately establish a presence in Abyei and to complete its security assessment and recommendations as quickly as possible. Both North and South must also provide the UN Mission in Sudan the full and unfettered access required to fulfill its mandate, which includes assessing the security and humanitarian situation where fighting has taken place and protecting civilians.

We call on Presidents Bashir and Kiir to meet as soon as possible and demonstrate that they are serious about making urgent progress in talks to resolve Abyei's final status in a manner that addresses the needs of all communities and upholds the Abyei Protocol and the ruling of the Permanent Court of Arbitration.

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On May 10, 2011, the Sudan Troika (the United States, United Kingdom, and Norway) issued a joint statement on recent developments in Sudan following a visit by

Troika representatives to the region earlier in May. The statement appears below and is available at [www.state.gov/r/pa/prs/ps/2011/05/162942.htm](http://www.state.gov/r/pa/prs/ps/2011/05/162942.htm).

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As we enter the final two months of the Comprehensive Peace Agreement's Interim Period, we call on the CPA parties to intensify their negotiations to finalize arrangements that will provide the basis for two stable, secure, and viable states living in peace with one another and their neighbors. We applaud the progress the parties have made thus far with the facilitation of the Africa Union High-Level Implementation Panel, but note that much work remains to be done. We call on the parties to approach the next two months with a renewed sense of urgency to resolve key outstanding issues, especially the future status of Abyei, before the end of the CPA.

We are especially concerned about the alarming situation in Abyei. Recent actions by both CPA parties run counter to President Bashir and President Kiir's agreement to resolve the situation peacefully through negotiation and the assistance of the African Union High Level Implementation Panel. The introduction by both sides of armed forces into Abyei has caused violence, including the death of 11 Northern JIU members, and more suffering for the local population. The parties should desist from these actions which represent a clear violation of the CPA. Moreover, at this critical stage we call on the leaders of the North and the South to refrain from inflammatory language and other acts that provoke the other side. We welcome agreement reached May 5 to immediately implement the Kadugli Agreements and withdraw illegal troops from Abyei. We also welcome the May 8 and 9 joint technical committee meetings held in Kadugli and Abyei, and urge the parties to ensure that the committee expeditiously fulfills its mandate to remove all illegal troops from Abyei. We urge both sides to avoid further escalation that could endanger the peaceful atmosphere of the CPA and ultimately make resolution of the Abyei issue more difficult. We reaffirm our commitment to support a peaceful negotiated final solution to the status of Abyei that builds on the CPA and is consistent with the decision of the Permanent Court of Arbitration.

We welcome the peaceful completion of polling for Southern Kordofan's elections, but are concerned about rising tensions in the state due to a delay in the announcement of preliminary results. We call on local and national leaders to take immediate steps to improve the security situation and exercise control over all armed security elements. We also call on the parties to work together to maintain calm as the preliminary results are announced and to refrain from prematurely declaring electoral victories. The parties should work together to resolve any election disputes peacefully through the courts. In order to maintain stability and promote long-term cooperation, they should build an inclusive government no matter the outcome. It is critical that the elections pave the way for the start of Southern Kordofan's popular consultations, which remain an important outstanding element of the CPA.

We have been encouraged by the recent renewal of face-to-face negotiations between the Government of Sudan (GOS) and Justice and Equality Movement (JEM) in Doha. However, these talks have once again broken down due to inflexibility on each side. We urge GOS and

JEM to re-launch these negotiations as soon as possible. The GOS, JEM, and Liberation and Justice Movement (LJM) must all seize upon this moment to bring lasting peace to Darfur by working to achieve an inclusive political agreement and a ceasefire. To do so, they must deal with the core pending issues in an expedited manner. We believe all Darfuri armed movements that remain outside of the Doha process should come to Doha, and welcome the invitations sent by the AU/UN Joint Mediation and Government of Qatar to several groups, notably the Sudan Liberation Army factions of Abdel Wahid Al Nur and Minni Minawi. We strongly encourage these leaders to associate themselves and their movements with these talks.

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On June 20, 2011 the parties to the CPA in Sudan signed an agreement regarding Abyei after negotiations assisted by the African Union High-level Implementation Panel. Ambassador Rice welcomed the agreement and urged implementation of all the parties' obligations in a statement at the Security Council on June 20, 2011, excerpted below. The full text of Ambassador Rice's statement is available at <http://usun.state.gov/briefing/statements/2011/166533.htm>.

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...[W]e welcome the news that the parties have just signed an agreement on temporary administrative and security arrangements for Abyei and the withdrawal of Sudanese Armed Forces. ...

This Council will closely monitor adherence with its statements and the progress towards rapidly ensuring that the terms of the Addis Agreement are swiftly fulfilled.

We want to underscore the urgency of Ethiopian troops deploying immediately to Abyei as the agreed interim security force, under UN auspices and on the timeline agreed to by the parties....

The United States will soon circulate a draft Security Council Resolution for Council consideration to authorize creation of this proposed Interim Security Force for Abyei.

Unfortunately, the situation in Abyei is by no means the only crisis facing the people of Sudan. ...

On June 5, violence broke out in multiple areas of Southern Kordofan, including its capital, Kadugli. The reports my government has been receiving of the ongoing fighting are horrifying—both because of the scope of human rights abuses and because of the ethnic dimensions to the conflict. The Sudanese Armed Forces have shelled and bombed the areas around Kadugli. Ongoing and intense aerial bombardments threaten the lives of civilians and UN personnel; a bomb fell just 100 meters from the UNMIS compound in Kauda. The Sudanese Armed Forces have threatened to shoot down UNMIS air patrols.

They have taken control of the airport in Kadugli and refuse landing rights to UNMIS flights, which has continued for so long that UN staff located in the compound and UN teamsites are running dangerously low on food and supplies. UNMIS's lack of access is alarming and indefensible. UNMIS and humanitarian aid workers must be granted full access, most especially when so many are in need of food, water, and humanitarian aid.

According to the United Nations, more than 360,000 people have been displaced in Sudan over the past 6 months, and more than half were displaced in the past month. As many as 75,000 people have fled the fighting in Southern Kordofan.

International NGOs operating there are evacuating their staff, and a humanitarian crisis of enormous proportions is unfolding. Up to 10,000 people have sought refuge at the UNMIS compound in Kadugli. The United States calls on both parties to facilitate access for UNMIS and humanitarian aid workers.

We are also concerned that the Sudanese People's Liberation Army has deployed north of the 01/01/56 border into Southern Kordofan in violation of the Comprehensive Peace Agreement.

...[W]e have also received reports that forces aligned with the Government of Sudan searched for Southern forces and sympathizers, whom they arrested and allegedly executed. We have received further allegations, not yet corroborated, but so alarming that I must mention them, that the Sudanese Armed Forces are arming elements of the local population and placing mines in areas of Kadugli. The United States condemns all acts of violence, especially those that target individuals based on their ethnicity or political affiliation. Security services and military forces have reportedly detained and summarily executed local authorities, political rivals, medical personnel, and others. These acts could constitute war crimes or crimes against humanity.

We demand that the perpetrators immediately halt these actions and be held accountable for their crimes. We call on the UN to fully investigate these incidents, and request a report from the Secretary General to the Council by the end of June that details any human rights abuses that were committed during recent hostilities in Abyei and Southern Kordofan. We are deeply concerned by reports that members of the Sudan People's Liberation Army have threatened the safety of persons of Arab origin in Southern Kordofan, including UN staff, and we insist that the Sudan People's Liberation Army leadership condemn these actions and refrain from any reprisals.

[T]he Government of Sudan can prevent this crisis from escalating further by immediately stopping its military efforts to disarm the Sudan People's Liberation Army in Southern Kordofan and by focusing on diplomatic efforts to peacefully resolve the conflict. The Sudanese government should also cease trying to dissolve the Joint/Integrated Units in Southern Kordofan, which were established under the CPA. Security arrangements for Southern Kordofan and Blue Nile States should be agreed upon through direct, high-level negotiations—and not dictated by the use of force.

We call for the Government of Sudan and the Sudan People's Liberation Movement-North to agree immediately on a cessation of hostilities and to immediately end restrictions on humanitarian access and UN movements.

It's essential that violence against civilians and humanitarian abuses stop and stop now. The United States calls upon both parties to end the conflict and resolve the underlying issues in Southern Kordofan and Blue Nile as they are now beginning to do in Abyei.

Finally, we want to underscore the imperative of timely and candid assessments for the Council about the evolving situation, for which we crucially depend on the Secretariat. This is essential for us to be able to determine and take actions necessary to ensure that the UN can carry out its mission. Contingents unwilling to carry out their mandate to protect civilians should not be part of this crucial mission. Contingents under attack also need our backup and support. With the failure of their government to live up to its responsibilities, the Sudanese people have turned to the international community for protection, and we have an obligation to provide it.



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Shortly after the parties reached their June 20 agreement, the Security Council adopted Resolution 1990 on June 27, 2011, authorizing the deployment of peacekeepers to the Abyei region of Sudan as the UN Interim Security Force for Abyei ("UNISFA"). U.N. Doc. S/RES/1990. In a press statement issued that day, Secretary Clinton welcomed the resolution. Secretary Clinton's statement appears below and is also available at [www.state.gov/secretary/rm/2011/06/167157.htm](http://www.state.gov/secretary/rm/2011/06/167157.htm).

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The United States commends the swift passage of UN Security Council resolution 1990, which approves the mandate requested by Sudanese leaders to facilitate the deployment of up to 4200 Ethiopian peacekeepers to the Abyei region of Sudan.

Abyei has been a source of regional tension for many years, as the world witnessed last month when Sudanese Armed Forces forcibly took control of the region, resulting in widespread displacement and looting.

The approval of this force is a critical step in implementing the June 20 agreement signed by the parties, whereby the Sudanese Armed Forces will withdraw from the Abyei area along with any Sudan People's Liberation Army forces there. An Ethiopian brigade will deploy as the United Nations Interim Security Force to enforce this withdrawal and maintain security throughout the Abyei region.

We urge the Sudanese Government and the Sudan People's Liberation Movement to make good on their commitments to withdraw forces from Abyei and use the talks facilitated by the African Union High-Level Implementation Panel to reach mutual agreement on the future status of Abyei.

While the United States welcomes this Security Council resolution regarding Abyei, we remain deeply concerned about the on-going crisis in Southern Kordofan. Tens of thousands of people have been driven from their homes, and there are reports of very serious human rights abuses and violence targeting individuals based on their ethnicity and political affiliation. Also of concern is the troubling detention of Sudanese local staff members of the UN Mission in Sudan by Sudanese authorities last week as they were being evacuated from the airport in Kadugli. While two staff members have been released, five remain in the custody of Sudanese military officials. We call on the Sudanese Government to release them immediately and cease any harassment and intimidation of UN personnel in Southern Kordofan. We urge the parties to reach an immediate ceasefire and to provide aid workers with the unfettered access required to deliver humanitarian assistance to innocent civilians affected by the conflict.

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On July 11, 2011, the Security Council adopted Resolution 1997, withdrawing UNMIS forces from Sudan. U.N. Doc. S/RES/1997. Ambassador Rice explained the United States' reluctance to accede to the Government of Sudan's request to cease UNMIS activities and



urged the parties to continue to negotiate for peace in Sudan. Her remarks, provided as an explanation of the U.S. vote on Resolution 1977, are set forth below and available at <http://usun.state.gov/briefing/statements/2011/168014.htm>.

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The United States deeply regrets the necessity to vote on this resolution to end the UNMIS mandate. We call on the Government of Sudan yet again to reconsider its demand that UNMIS cease its activities in the Republic of Sudan effective July 9. The mission has a critical role to continue to play in regional stability, especially in the Two Areas.

The United States is sending a clear message along with other Council members that it wants the United Nations to remain in the Two Areas, especially at this critical juncture. With this resolution, the Council has made clear that it is ready to authorize continued UN operations in Southern Kordofan and Blue Nile to support new security arrangements, and we will continue over the coming weeks to urge the Government of Sudan to accept this. It is in their interest to do so. We hope others in the international community will continue to encourage Khartoum to accept this.

It is critical that the Government of Sudan cooperate fully with UNMIS as it begins the process of withdrawing.

We continue to be deeply concerned about the fighting in Southern Kordofan, the displacement of civilians, and the ensuing humanitarian crisis. The Government of Sudan and SPLM-North must return to the negotiating table in the coming days and agree to an immediate cessation of hostilities. We call on the Government of Sudan as well to work actively on agreements to bring peace and stability to the border, and in Blue Nile and Southern Kordofan states. ...

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On December 6, 2011, the Sudan Troika issued another joint statement, commending the parties on recent successful negotiations on petroleum sector and financial issues and urging them to reach agreement on other post-CPA issues. The joint statement appears below and is available at [www.state.gov/r/pa/prs/ps/2011/12/178314.htm](http://www.state.gov/r/pa/prs/ps/2011/12/178314.htm).

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We welcome the discussions held on transitional financial arrangements and commercial oil fees between the Government of Sudan (GoS) and Government of South Sudan (GoSS) that were facilitated by the African Union High-Level Implementation Panel (AUHIP) in Addis Ababa on 25-30 November.

We believe these significant negotiations were advanced through the presentation of new proposals that warranted careful consideration by both sides. We note in particular a detailed proposal by the GoSS that put forth a financial contribution to help the GoS reduce its financial gap after South Sudan's secession. In light of recent developments, we strongly urge the Parties

to reconvene as soon as possible, ahead of the agreed December 20 date, to agree on arrangements for the export of oil. We urge both states to finalize as soon as possible a sustainable agreement that encompasses all outstanding petroleum sector and financial issues.

We further reiterate our strong commitment to continue working with the AUHIP and both governments to reach an agreement on other outstanding post-CPA issues. We urge both governments to immediately implement agreed security and administrative arrangements on Abyei and the border. The withdrawal of all GoS and GoSS armed forces from Abyei, the establishment of the Abyei Area Administration, and the convening of the Abyei Joint Oversight Committee in Abyei are of highest priority and any obstacles to these objectives should be resolved quickly. Swift resolution of these outstanding issues will advance security and prosperity for citizens of both countries. We further call on the parties to refrain from any further destabilizing actions or inflammatory language that might jeopardize the relations between both states, and in that context note with concern the recent and dangerous escalation of military action along the Sudan-South Sudan border.

We commend the efforts of the AUHIP in facilitating these negotiations and wholeheartedly support the AUHIP's continued engagement. We encourage other international stakeholders to play a positive role in engaging with both Sudan and South Sudan to help peacefully resolve outstanding issues and work toward the development of two viable states at peace with one another.

We strongly support the AU Peace and Security Council's call for the AUHIP to continue to prioritize democratization in both Sudan and South Sudan as a sine qua non for stability and equitable governance.

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## 2. Côte d'Ivoire

The Security Council adopted seven resolutions on the situation in Côte d'Ivoire in 2011. The United States supported the resolutions and the work of the United Nations Operation in Côte d'Ivoire ("UNOCI"). See *Digest 2005* at 933-34; see also *Digest 2010* at 300-02 for background on the conflict following the November 2010 presidential elections.

On March 9, 2011, President Barack Obama delivered a statement on the violence in Côte d'Ivoire. That statement appears below and is available at [www.whitehouse.gov/the-press-office/2011/03/09/statement-president-barack-obama-violence-cote-divoire](http://www.whitehouse.gov/the-press-office/2011/03/09/statement-president-barack-obama-violence-cote-divoire).

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I strongly condemn the abhorrent violence against unarmed civilians in Cote d'Ivoire. I am particularly appalled by the indiscriminate killing of unarmed civilians during peaceful rallies, many of them women, including those who were gunned down as they marched in support of the legitimately elected President Alassane Ouattara. Reports indicate that the women were shot to death by security forces loyal to former President Laurent Gbagbo. On March 8—the 100th Anniversary of International Women's Day—we saw pictures of women peacefully rallying with signs that said, "Don't shoot us"—a strong testament to the bravery of women exercising their right of peaceful assembly.

The United States remains deeply concerned about escalating violence, including the deepening humanitarian and economic crisis and its impact in Cote d'Ivoire and neighboring countries. All armed parties in Cote d'Ivoire must make every effort to protect civilians from being targeted, harmed, or killed. The United States reiterates its commitment to work with the international community to ensure that perpetrators of such atrocities be identified and held individually accountable for their actions.

As we have said since the election results in Cote d'Ivoire were certified: the people of Cote d'Ivoire elected Alassane Ouattara as their President, and Laurent Gbagbo lost the election. Former President Gbagbo's efforts to hold on to power at the expense of his own country are an assault on the universal rights of his people, and the democracy that the Cote d'Ivoire deserves. The people of Cote d'Ivoire have extraordinary talent and potential, and they deserve leadership that is responsive to their hopes and aspirations. It is time for former President Gbagbo to heed the will of his people, and to complete a peaceful transition of power to President Ouattara.

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On March 30, 2011 after the Security Council adopted Resolution 1975, Ambassador Rice delivered remarks, below, in which she urged Laurent Gbagbo to step aside and all parties to restore peace in the country. Ambassador Rice's remarks are also available at <http://usun.state.gov/briefing/statements/2011/159393.htm>.

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Thank you, Mr. President. The United States welcomes the unanimous adoption of this strong resolution this afternoon. This Council has met on numerous occasions in an attempt to find a resolution to the ongoing crisis. We have strongly condemned the violence. We have urged former President Gbagbo to step aside so that President Ouattara, as the duly-elected President of Cote d'Ivoire, can govern. We stressed our support for UNOCI and its mandate of protecting civilians. And, we have adopted targeted sanctions against those most responsible for obstructing peace.

This resolution sends a strong signal: Mr. Gbagbo and his followers should immediately reject violence and respect the will of the Ivorian people. As violence continues, Cote d'Ivoire stands at a crossroads:

Mr. Gbagbo and his supporters can continue to cling to power, which will only lead to more innocent civilians being wounded and killed, and more diplomatic and economic isolation.

Or Mr. Gbagbo and his followers can finally reject violence and respect the will of the Ivorian people. If this path is chosen, Ivorians can reclaim their country and rebuild a vibrant economy that was once the admiration of all of Africa.

The United States urges this Council to support and work with President Ouattara in his efforts to create a peaceful and prosperous future for all Ivorians, a future based on inclusive government, reunification and reconciliation.

We urge all parties to exercise restraint and to avoid violence against civilians. Now is the time for all Ivorians to embrace the path of peace and to unite in rebuilding Cote d'Ivoire so future generations can enjoy the stability and prosperity that all Ivorians deserve.

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After the arrest of former president Gbagbo on April 11, 2011, Ambassador Rice delivered a statement on the way forward in Cote d'Ivoire. That statement appears below and is available at <http://usun.state.gov/briefing/statements/2011/160486.htm>.

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The United States welcomes the end of former President Laurent Gbagbo's illegitimate claim to power in Cote d'Ivoire. As the international community has said repeatedly, the people of Cote d'Ivoire deserve peace and democracy. They deserve a government that recognizes their fundamental human rights and respects their will. And they deserve to return to the path of prosperity and security. That opportunity begins today.

As the Ivorian government and people work to move beyond the recent crisis, the United States will stand with them. We are ready to help Cote d'Ivoire recover and rebuild, and will support UN efforts to carry on its important peacekeeping and humanitarian work. The United States commends the UN Operation in Cote d'Ivoire (UNOCI) and French forces for the robust implementation of their mandate to protect civilians pursuant to UN Security Council Resolution 1975, and we will continue to strongly support their efforts in this regard.

The U.S. remains profoundly concerned about and condemns persistent violations of fundamental human rights. We support President Alassane Ouattara's affirmation of the need to investigate those who have perpetrated attacks against civilians. All parties should be aware that the actions of their supporters will be scrutinized, alleged human rights abuses and attacks against civilians will be investigated, and perpetrators will be held accountable without regard to which side they may have been aligned.

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### 3. Georgia

In 2011, the United States continued to support the Geneva Discussions and the efforts of the Organization for Security and Cooperation in Europe ("OSCE") to maintain peace and security in the Abkhazia and South Ossetia regions of Georgia based on agreements reached in 2008. See *Digest 2008* at 863-70, *Digest 2009* at 670-71, and *Digest 2010* at 727-29 for background. On April 30, 2011, State Department Acting Deputy Spokesman Mark C. Toner provided a press statement, available at [www.state.gov/r/pa/prs/ps/2011/04/162266.htm](http://www.state.gov/r/pa/prs/ps/2011/04/162266.htm), in which he addressed Russian actions with respect to Abkhazia and South Ossetia:

Russia's recent efforts to conclude formal state-to-state agreements with the "de facto" authorities in Abkhazia and South Ossetia during a visit this week to those separatist regions are inconsistent with the principle of territorial integrity and Georgia's internationally recognized borders. The United States remains committed to a peaceful resolution to the conflict in Georgia's separatist regions and the restoration of Georgia's sovereignty and territorial integrity within its internationally recognized borders. We

further call upon all parties to the conflict to fully implement their commitments pursuant to the 2008 Ceasefire Agreement.

On October 13, 2011, Gary Robbins, *Chargé d’Affaires*, U.S. Mission to the OSCE, delivered a statement to the OSCE Permanent Council conveying the position of the United States on these efforts and urging the Russian side to allow access for international observers in Abkhazia and South Ossetia. Ambassador Robbins’ October 13<sup>th</sup> statement to the OSCE follows and is also available at [www.humanrights.gov/2011/10/14/statement-by-charge-d%E2%80%99affaires-robbins-on-the-geneva-discussions-on-georgia/](http://www.humanrights.gov/2011/10/14/statement-by-charge-d%E2%80%99affaires-robbins-on-the-geneva-discussions-on-georgia/).

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The United States continues to support the Geneva Discussions as an important forum for improving security and humanitarian conditions in Georgia. We urge all of the parties to continue constructive engagement in the Geneva Discussions and the Incident Prevention and Response Mechanisms (IPRMs) in order to foster agreement on international security arrangements, to enhance confidence-building measures, and to promote both strengthened humanitarian initiatives and a sustainable and peaceful resolution to the conflict.

We continue to call on Russia to abide by its commitments under the 2008 ceasefire agreement and its September 2008 implementing measures, including the withdrawal of Russian troops to positions held prior to the start of hostilities and the facilitation of humanitarian access to the Abkhazia and South Ossetia regions of Georgia.

The EU Monitoring Mission in Georgia is a crucial stabilizing factor, and plays a key role in the implementation of the IPRMs. The EUMM also is critical to the international community’s efforts to monitor compliance with the cease-fire and implementing measures. Unfortunately, these efforts cannot be fully realized as long as Russia denies international observers access to the South Ossetia and Abkhazia regions of Georgia.

The United States continues to urge free and unhindered humanitarian access to the South Ossetia and Abkhazia regions of Georgia, as agreed in the August 2008 cease-fire. We call for full respect of all individuals’ human rights in the conflict areas, and for the safe, dignified, and voluntary return of internally displaced persons.

In closing, let me reiterate that the United States remains committed to helping Russia and Georgia find a peaceful resolution to the conflicts in Georgia, and we will continue to support Georgia’s sovereignty, independence, and territorial integrity within its internationally recognized borders.

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Ambassador Robbins reiterated U.S. support for the Geneva Discussions and the call for Russia to honor its commitments under the 2009 ceasefire in a December 15, 2011 statement at the OSCE, following another round of the Geneva Discussions. The full statement is available at [www.uspolicy.be/headline/amb-robbins-osce-geneva-discussions-georgia](http://www.uspolicy.be/headline/amb-robbins-osce-geneva-discussions-georgia). In particular, the December 15 statement urged Russia to pledge non-use of force:

The United States continues to urge Russia to make a unilateral pledge of Non-Use of Force as Georgia has and we call for a full-fledged, cross-dimensional OSCE presence throughout Georgia including a robust monitoring capacity able to operate unhindered across the administrative boundary lines. We also call for respect of all individuals' human rights and the safe, dignified, and voluntary return of internally displaced persons.

#### 4. Kosovo

The Security Council continued to meet in 2011 to consider reports on the United Nations Administration in Kosovo ("UNMIK") and hear briefings by the Secretary-General's Special Representative and head of UNMIK. Ambassador Rosemary A. DiCarlo, U.S. Deputy Permanent Representative to the United Nations, delivered a statement at the Security Council's meeting on November 29, 2011, excerpted below, urging continued international cooperation in Kosovo through support for KFOR (NATO's forces in Kosovo), EULEX (the EU's Rule of Law Mission in Kosovo), and the EU-sponsored Dialogue, among other activities of the international community. The full text of the statement is available at <http://usun.state.gov/briefing/statements/2011/177855.htm>.

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... [T]he most recent Secretary General's report on UNMIK highlights the challenges to long-term peace and security in Kosovo and the Balkan region. But the report also highlights the successes Kosovo and the region have made, including the September 2<sup>nd</sup> agreement by Belgrade and Pristina to recognize each other's customs stamps, as well as ongoing cooperation on cultural heritage projects. Despite recent violence caused by the acts of a few extremists, the United States remains optimistic that Kosovo and Serbia can eventually resolve their differences, and that Kosovo will continue to develop the successful institutions of a democratic nation.

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...[W]e echo the Secretary-General's call for KFOR to continue its efforts to ensure freedom of movement throughout Kosovo. This Council has affirmed that Kosovo is a single customs space. This is fully in accordance with Security Council Resolution 1244 and was a key point in the Secretary General's November 2008 report on UNMIK, a report that the Council welcomed in its presidential statement of November 26, 2008. Kosovo therefore has the right to control its borders and uphold rule of law in full cooperation with the international community. It cannot be considered unilateral action for Kosovo to enforce its customs controls. Moreover, Kosovo also coordinated its activities with the international community, including KFOR and EULEX.

... We call on all actors, including the Serbian government, to cooperate fully with KFOR and EULEX in the immediate removal of the remaining roadblocks, in ensuring proper controls at the borders, and in supporting rule of law through cooperation in the arrests of key criminal suspects. UNMIK can best facilitate these goals by clearly supporting the presence of



Kosovo customs officials at the border gates and emphasizing that Kosovo is a single customs space.

We remain deeply concerned by the violence in northern Kosovo during recent months, including: the murder of a Kosovo Police officer on July 26<sup>th</sup>; attacks on nine KFOR soldiers on September 27<sup>th</sup>; injuries to 21 KFOR soldiers on November 23<sup>rd</sup> to 24<sup>th</sup>; and on November 25<sup>th</sup> injuries to over 25 KFOR officers, including two wounded by gunfire while attempting to remove roadblocks that obstruct freedom of movement. It is a serious matter that these incidents occurred while Serbian security structures remain illegally deployed in these areas. Members of this Council should be unequivocal in condemning the violence perpetrated against KFOR and in supporting the mission. Just as any attack on UN peacekeepers is unacceptable, so is any attack on KFOR. My government underscores that KFOR's actions have been and continue to be in complete accordance with its mandate under UN Security Council Resolution 1244. We commend KFOR for using minimal force, in self-defense, to de-escalate the situation and we believe that Serbia's request to the Secretary-General for a special investigation into the events of September 27<sup>th</sup> is unwarranted.

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My final point ... is that the United States fully supports Ambassador Clint Williamson in his new role as lead prosecutor for the international Special Investigative Task Force. The taskforce will continue EULEX's investigation into the allegations set forth in the report of the Council of Europe Special Rapporteur Dick Marty. EULEX's mandate—as enshrined in Kosovo's constitution and laws and the EU Joint Action—explicitly provides for EULEX to investigate and prosecute serious crimes, such as those alleged in the Marty report, and to do so independently. Further, neighboring states, including Serbia, have offered the task force their full cooperation. We believe there is, therefore, no need for the Council to interfere with EULEX's ongoing investigations.

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## **5. U.S.-E.U. Framework Agreement on crisis management operations**

On May 17, 2011, Secretary Clinton and European Union High Representative for Foreign Affairs and Security Policy Catherine Ashton signed the Framework Agreement between the United States and the European Union on the Participation of the United States in European Union Crisis Management Operations. A State Department Media Note issued on the same day, available at [www.state.gov/r/pa/prs/ps/2011/05/163573.htm](http://www.state.gov/r/pa/prs/ps/2011/05/163573.htm), described the agreement:

This Agreement provides a legal framework for United States civilians to participate in European Union crisis management missions. The United States previously negotiated an agreement for our participation in the EU's Rule of Law mission (EULEX) in Kosovo and an ad hoc arrangement for our participation in the EU's Security Sector Reform mission (EUSEC) in the Democratic Republic of the Congo. This Agreement eliminates

the need to negotiate entirely new, separate agreements for our future participation in EU missions.

This Agreement is one facet of the broad partnership between the United States and the European Union and strengthens our practical, on-the-ground coordination in crisis situations.

The text of the agreement is available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:143:0002:0005:EN:PDF>.

## C. CONFLICT AVOIDANCE

### 1. United States Atrocities Prevention Board

On August 4, 2011, President Obama issued a Directive to multiple agencies within the U.S. government on the creation of an interagency “Atrocities Prevention Board.” Daily Comp. Pres. Docs., 2011 DCPD No. 00549, pp. 1–2. The Directive is excerpted below.

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Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.

Our security is affected when masses of civilians are slaughtered, refugees flow across borders, and murderers wreak havoc on regional stability and livelihoods. America’s reputation suffers, and our ability to bring about change is constrained, when we are perceived as idle in the face of mass atrocities and genocide. Unfortunately, history has taught us that our pursuit of a world where states do not systematically slaughter civilians will not come to fruition without concerted and coordinated effort.

Governmental engagement on atrocities and genocide too often arrives too late, when opportunities for prevention or low-cost, low-risk action have been missed. By the time these issues have commanded the attention of senior policy makers, the menu of options has shrunk considerably and the costs of action have risen.

In the face of a potential mass atrocity, our options are never limited to either sending in the military or standing by and doing nothing. The actions that can be taken are many—they range from economic to diplomatic interventions, and from non-combat military actions to outright intervention. But ensuring that the full range of options is available requires a level of governmental organization that matches the methodical organization characteristic of mass killings.

Sixty-six years since the Holocaust and 17 years after Rwanda, the United States still lacks a comprehensive policy framework and a corresponding interagency mechanism for preventing and responding to mass atrocities and genocide. This has left us ill-prepared to engage early, proactively, and decisively to prevent threats from evolving into large-scale civilian atrocities.

Accordingly, I hereby direct the establishment of an interagency Atrocities Prevention Board within 120 days from the date of this Presidential Study Directive. The primary purpose of the Atrocities Prevention Board shall be to coordinate a whole-of-government approach to



preventing mass atrocities and genocide. By institutionalizing the coordination of atrocity prevention, we can ensure: (1) that our national security apparatus recognizes and is responsive to early indicators of potential atrocities; (2) that departments and agencies develop and implement comprehensive atrocity prevention and response strategies in a manner that allows “red flags” and dissent to be raised to decisionmakers; (3) that we increase the capacity and develop doctrine for our foreign service, armed services, development professionals, and other actors to engage in the full spectrum of smart prevention activities; and (4) that we are optimally positioned to work with our allies in order to ensure that the burdens of atrocity prevention and response are appropriately shared.

To this end, I direct the National Security Advisor to lead a focused interagency study to develop and recommend the membership, mandate, structure, operational protocols, authorities, and support necessary for the Atrocities Prevention Board to coordinate and develop atrocity prevention and response policy. ...

\* \* \* \*

## 2. United Nations Peacekeepers’ Role in Preventing Conflict

See Chapter 18.A.1.c.(3).

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### Cross References

*Combating piracy in Somalia*, **Chapter 3.B.8.**

*International Criminal Tribunals for the Former Yugoslavia and Rwanda*,

**Chapter 3.C.**

*Women’s participation in conflict resolution*, **Chapter 6.B.2.a.**

*Palestinians’ application to UNESCO and UN*, **Chapter 7.B.**

*Recognition of South Sudan*, **Chapter 9.B.1.**

*Sanctions to restore peace and security*, **Chapter 16.A.5.**

*Protection of civilians in armed conflict*, **Chapter 18.A.1.c.(3)**